

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

James D. Kintigh, :
Debtor. : Bankruptcy No. 15-20410-GLT

James D. Kintigh : Chapter 13
Movant, :
vs. :
BAC Home Loan Servicing, LP, Credit :
Acceptance, Recovery Management Systems :
Corporation, Deutsche Bank National Trust :
Company, Milstead & Associates, LLC, Office of :
the United States Trustee, Select Portfolio Servicing:
Inc., Select Portfolio Servicing and Ronda J. : Winnecour,

Respondents. :

Related to
Document No. 105-104

ANSWER TO TRUSTEE'S CERTIFICATE OF DEFAULT REQUESTING DISMISSAL OF CASE

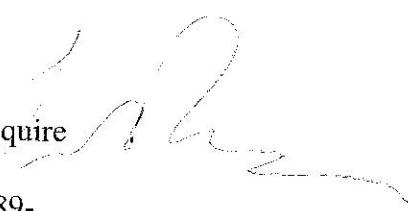
AND NOW, comes the Debtor, James D. Kintigh, by and through his attorney, Lawrence R. Burns, Esquire, and files the within Answer to the trustee's certificate for Dismissal of Chapter 13 Bankruptcy Case Number 15-20410-GLT, and in support thereof avers as follows:

1. On or about February 10, 2015, Debtor filed a voluntary Chapter 13 Bankruptcy Petition.
2. The Last confirmed plan required the Debtor to pay \$2,927.00 per month.
3. The Trustee filed a Certificate of Default on June 14, 2019 that stated the Debtor's plan was in default by \$17,186.00 including the payment that was due in June of 2019.

4. Since that time the Debtor, as shown on the trustee's site, has made a \$6000.00 payment on or about June 15, 2019, and another \$5000.00 payment on or about July 14, 2019, bringing the alleged arrearages down to approximately \$9,113.00.
5. Prior to making the increased payments the Debtor sent a note of explanation to the Trustee for the missed payments.
6. The Debtor has since made another \$6000.00 payment on or about July 30, 2019 and another \$3000.00 payment on or about August 1, 2019, which should bring him substantially in compliance with the already confirmed plan.
7. A copy of the payments made on July 30, 2019 and August 1, 2019 are attached hereto.
8. This plan is believed to be in its 55th month of a 60 month plan.
9. The plan base according to the Trustee's site is approximately \$140,000.00 with the Debtor already having paid in \$126,000.00 according to the trustee's site and the additional \$8,000.00 will bring the total to \$134,000.00 with only a few months remaining to successfully complete the plan,
10. The Answer in this case has been filed in good faith, and the Debtor prays that with these actions the trustee will withdraw the Request for Dismissal of Case No. 1520410-GLT so that the Debtor may continue with his bankruptcy.
11. Attached herewith is a notarized statement from James Kintigh affirming the above payments and the reason for the missed payments

WHEREFORE, it is respectfully requested that upon acknowledging the receipt of proof of the total additional \$20,000.00 additional payments to the trustee since the date of the Certificate of Default that the Court not Dismiss this case, and that the present Chapter 13 Plan stay in place.

Respectfully Submitted,
/s/ Lawrence R. Burns, Esquire
P.O. Box 617
Latrobe, PA 15650 724-989-
6641 lawburns1@gmail.com
PA I.D. 21825



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Debtor.

James D. Kintigh
Movant,

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: Corporation, Deutsche Bank National Trust : Company, Milstead & Associates,
LLC, Office of : the United States Trustee, Select Portfolio Servicing:
Inc., Select Portfolio Servicing and Ronda J. : Winnecour,
:
Respondents.

AFFIDAVIT

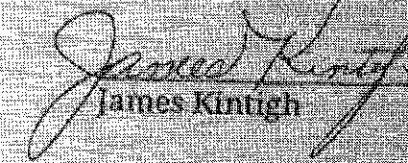
I, James D. Kintigh, am the debtor in the above captioned bankruptcy case and I was injured requiring hospitalization and treatment for a subsequent infection, preventing me from traveling. In order to make payments I have to personally withdraw funds from my Teachers account and forward the payments to the trustee by certified check.

I hereby verify that I have now mailed 4 certified checks totaling \$20,000.00 to Ronda Winnecour, the Chapter 13 Trustee that has filed the Certificate of Default in my case on June 11, 2019 indicating that I was \$17,186.00 in arrears, including the plan payment of \$2,927.00 due for the month of June. The first two checks were for \$6,000.00 made on or about June 6, 2019 and a second check for \$5000.00 on or about July 15, 2019, and have been received as is reflected the Trustee's Website. The second two checks were for \$6000.00 sent on July 30, 2019 (Copy attached) and another for \$3,000.00 (Copy attached) sent on August 1, 2019.

SEE NEXT PAGE

James Kintigh

Certificate of Default in my case on June 11, 2019 indicating that I was \$17,186.00 in arrears, including the plan payment of \$2,927.00 due for the month of June. The first two checks were for \$6,000.00 made on or about June 6, 2019 and a second check for \$5,000.00 on or about July 15, 2019, and have been received as is reflected the Trustee's Website. The second two checks were for \$6,000.00 sent on July 30, 2019 (Copy attached) and another for \$3,000.00 (Copy attached) sent on August 1, 2019.


James Kintigh

Commonwealth of Pennsylvania

County of Westmoreland

Sworn to and subscribed before me

this 8 day of August, 2019


Notary Public

Commonwealth of Pennsylvania - Notary Seal
Eileen Williams, Notary Public
Westmoreland County
My commission expires April 12, 2023
Commission number 12345678
Member, Notary Public Association of Pennsylvania

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Annual Contracts Workshop - Final days to register! Practice & tip-to-date information

An engaging panel discussion on: The "New" PA Supreme Court - Sep. 9 - Philadelphia